REMARKS

Claims 30-34, 36-37, 39-40, 42-46, 48-49, and 51 have been amended in this

response. Claims 30 - 51 are under examination. No new matter has been added.

REJECTIONS BASED ON THE PRIOR ART

35 U.S.C. § 103

Claims 30 and 42 were rejected under 35 U.S.C. 103(a) as being unpatentable over

Morshed et al., U.S. Patent No. 6,760,903 (hereinafter, Morshed) in view of Mathur et al,

U.S. Patent 6,704,807 (hereinafter, Mathur). The rejection is respectfully traversed for the

following reasons.

Claim 30 recites:

A method of communicating, the method comprising:
maintaining a connection, via a network, between a first proxy on a first server and a second
        proxy on a second server;
while maintaining the connection:
        a plurality of first processes on the first server communicating with a plurality
    of second processes on the second server via the connection by:
        the plurality of first processes exchanging data with the first proxy via shared
            memory, wherein each of the plurality of first processes is assigned a
            unique region of the shared memory, and
      <u>wherein exchanging data with the first proxy includes, for each first process of</u>
            <u>the plurality of first processes:</u>
            <u>the each first process writing data to the respective unique region</u>
                <u>assigned to the each first process, and the first proxy reading</u>
                <u>data from the respective unique region assigned to the each first</u>
                <u>process; and</u>
          <u>the first proxy writing data to the respective unique region assigned to</u>
                <u>the each first process, and the each first process reading data</u>
                <u>from the respective unique region assigned to the each first</u>
                <u>process; and</u>

the first proxy exchanging the data via the connection with the second proxy (emphasis added).

I

The prior art fails to teach or suggest the underscored claim language. The rejection concedes that Morshed does not teach shared memory. The rejection asserts that one of ordinary skill in the art would have been motivated, at the time of the invention, to modify Morshed's teachings with Mathur's teaching that different processes are assigned their own unique region of shared memory. Applicants respectfully disagree.

The Advisory Action proposes that the teachings of Morshed be modified as follows. A monitor process 1072 would be given its own region of memory (herein "monitor region"). A collector process would be given its own region of memory (herein "collector region"). Morshed's monitor processes 1072 would read data from the monitor region of memory and pass that data to a collector process 1074 (it is unclear from the Advisory Action how the data is passed) and then the collector process 1074 would store that data in the collector region of memory. However, the underscored language clearly distinguishes over this proposed modification to Morshed in that one of the first processes writes to the respective unique region assigned to the first process and the first proxy reads from the respective unique region assigned to the first process.

One of ordinary skill in the art would not have been motivated, at the time of the invention, to combine the teachings of Mather with the teachings of Morshed to arrive at the limitations of Claim 30, for at least the following reasons. Mathur teaches that "the kernel 214 protects applications from accessing memory outside of their allocated slot by generating an exception. By generating an exception if a process accesses a slot in memory not assigned

to it, the proposed modification to Morshed <u>could not exchange data</u> between a proxy and a

plurality of processes via shared memory, as claimed. For example, if Morshed were to be

modified by assigning each of the monitor processes and the collector their own memory slot

as taught by Mathur, then data could not be exchanged between any of the monitors and the

collector via the memory because an exception would occur if either a collector read data in

one of the slots assigned to a monitor process, or if monitor process wrote data to one of the

slots assigned to a collector.

II

The Advisory Action argues that Morshed teaches that monitor processes on a first

server communicate with monitor processes on a second server. Therefore, the Advisory

Action concludes that the limitations of "a plurality of first processes on the first server

communicating with a plurality of second processes on the second server via the connection,"

is taught by Morshed. Applicants respectfully disagree.

The monitor processes 1072 taught by Morshed <u>do not communicate with each other</u>

and thus cannot be the claimed first and second processes. For example, referring to FIG. 35

of Morshed, local monitor process 1072b does not communicate with remote monitor process

1072c. Rather, Morshed teaches that a monitor process may establish a remote connection

<u>with a remote collector</u> via a local collector. However, any data exchange on the remote

connection takes place between a monitor process and a remote collector. Therefore,

Morshed's monitor processes cannot be the claimed processes that communicate with each

other via a connection that is maintained between two proxies.

For the foregoing reasons, Morshed does not teach or suggest, "a plurality of first

processes on the first server communicating with a plurality of second processes on the

second server via the connection," as claimed.

III

Claim 30 also recites that the first and second processes (which are on different

servers) communicate <u>via the connection</u>, while maintaining the connection. The Office

Action and Advisory Action allege that the Morshed's monitor processes correspond to the

claimed first and second processes. However, Morshed clearly teaches that when a monitor

process does communicate with a process on another server (as previously discussed, the

monitor processes communicate with a collector—not another monitor process)), the monitor

process communicates using its own connection. Thus, monitor processes do not share a

connection. Therefore, the presently discussed claim limitation is not taught.

Morshed's teaching of how monitor processes establish remote connections clearly

indicates that <u>each monitor process uses a separate remote connection</u> to communicate with a

remote collector. Morshed teaches that the monitor processes initiate establishing the remote

connections in response to a remote procedure call from a client process to a server process

(col. 44, line 64 – col. 45, line 1). Moreover, Morshed teaches that to establish the remote

connection, a local monitor uses a client-side process identifier and system name pair (col.

37, lines 62 – 66). Note that the client-side process identifier is used to identify the process

that the monitor is monitoring. Thus, it is clear that any particular remote connection is to be

used by the particular monitor process in association with a particular process being

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monitored. Therefore, multiple monitor processes would not use the same remote connection, while maintaining the connection.

For all of the foregoing reasons, Claim 30 is allowable over the prior art.

Independent Claim 42 comprises similar limitations to those discussed in the remarks regarding Independent Claim 30. Therefore, Claims 42 is allowable.

Claims 31-41 and 43-51 were rejected under 35 U.S.C. 103(a) as being unpatentable over Morshed and Mathur in view of Lanteigne et al, U.S. Patent 6,557,056 (hereinafter Lanteigne). The rejection is traversed for the following reasons.

Independent Claim 40 comprises similar limitations to those discussed in the remarks regarding Independent Claim 30. Lanteigne does not remedy the deficiencies of Morshed and Mathur discussed herein with respect to these claim limitations, nor does the rejection allege that Lanteigne remedies those deficiencies. Therefore, Independent Claim 40 is allowable over Morshed and Mathur in view of Lanteigne.

The remaining claims depend from one of Claims 30, 40, or 42, and are therefore allowable. Moreover, the dependent claims recite additional limitations that further distinguish over the prior art.

CONCLUSION

The Applicant believes that all issues raised in the Office Action have been addressed and that allowance of the pending claims is appropriate.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

To the extent necessary to make this reply timely filed, the Applicant petitions for an extension of time under 37 C.F.R. § 1.136.

If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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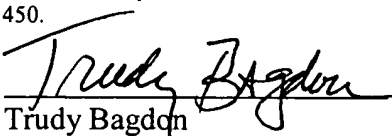
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on __10/13/2006__ by __Trudy Bagdon__

Trudy Bagdon